

House Amendment 8347

PAG LIN

1 1 Amend House File 2476, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, by inserting after line 19 the
1 4 following:
1 5 <____. "Law enforcement officer" means an Iowa
1 6 state patrol officer or a regularly employed member of
1 7 a police force of a city or county, including but not
1 8 limited to a sheriff's office, who is responsible for
1 9 the prevention and detection of a crime and the
1 10 enforcement of the criminal laws of this state.>
1 11 #2. Page 2, line 4, by inserting after the figure
1 12 <1.> the following:
1 13 #3. Page 2, by inserting after line 12, the
1 14 following:
1 15 1 16 penalties that it collects under this chapter. The
1 17 moneys are appropriated to the department for the
1 18 administration and enforcement of this chapter.
1 19 Notwithstanding section 8.33, such moneys shall not
1 20 revert, but shall be retained by the department for
1 21 the purposes described in this paragraph. The
1 22 department shall submit a report to the chairpersons
1 23 of the joint appropriations subcommittee on
1 24 agriculture and natural resources by January 5 of each
1 25 year. The report shall state, at a minimum, the total
1 26 amount of moneys collected during the past calendar
1 27 year and describe how these moneys were expended.>
1 28 #4. Page 3, line 14, by striking the words 1 29 establishment> and inserting the
following: 1 30 concentration point>.
1 31 #5. Page 3, line 15, by striking the word
1 32 and inserting the following:
1 33 .
1 34 #6. Page 3, line 18, by striking the words 1 35 establishment> and inserting the
following: 1 36 concentration point>.
1 37 #7. Page 4, line 14, by inserting before the word
1 38 the following: .
1 39 #8. Page 5, by inserting after line 2 the
1 40 following:
1 41 <____. This subsection applies to poultry
1 42 maintained at a restricted concentration point, or
1 43 poultry transported to or from a restricted
1 44 concentration point.
1 45 a. The department or a law enforcement officer may
1 46 confiscate poultry before a contested case proceeding
1 47 or judicial hearing is conducted to determine whether
1 48 this section has been violated. If the department or
1 49 a court determines that a violation of this section
1 50 has occurred, the poultry are conclusively deemed to
2 1 be infected with a pathogenic virus. The poultry
2 2 shall be kept separate and apart until destroyed by
2 3 euthanasia as defined in section 162.2.
2 4 b. The department shall provide that real or
2 5 personal property that is exposed to the poultry shall
2 6 be sanitized as required to eliminate the source of
2 7 the pathogenic virus. As part of the sanitation, the
2 8 department shall provide for the disposal of poultry
2 9 carcasses, eggs, or manure. Upon inspection, the
2 10 department shall certify that the sanitization has
2 11 been performed as required by this paragraph.
2 12 c. The department may utilize the procedures
2 13 provided in section 17A.18A in order to enforce the
2 14 provisions of this section. The attorney general or
2 15 county attorney may petition the district court for an
2 16 expedited hearing.
2 17 d. The department shall be reimbursed by the owner
2 18 of the poultry or property for costs required to carry
2 19 out this subsection. However, if the enforcement
2 20 action is brought due to the activity of a law
2 21 enforcement officer of a political subdivision, the
2 22 political subdivision shall be reimbursed by the owner
2 23 of the poultry or property for those costs. The
2 24 department or political subdivision shall certify the
2 25 amount to the county auditor of any county in which
2 26 the owner is a titleholder of real property. The
2 27 amount shall be placed upon the tax books which shall

2 28 be a lien upon the real property, and collected with
2 29 interest and penalties after due, in the same manner
2 30 as other unpaid property taxes.>
2 31 [#9](#). Title page, line 1, by inserting after the
2 32 word the following: <, making an
2 33 appropriation,>.
2 34 [#10](#). By renumbering, relettering, or redesignating
2 35 and correcting internal references as necessary.
2 36 HF 2476.S
2 37 da/cc/26